

Attorney Docket No. 2300-0363.01 (PP00363.115)

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of SCARLATO et al.

Serial No.: CON of 09/302,626

Examiner: Unassigned

Confirmation No.:

Art Unit: Unassigned

Filed: On even date herewith

For: MENINGOCOCCAL ANTIGENS

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.
§§1.97 and 1.98.

- Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. 09/302,626 to which the above-identified application claims priority under 35 U.S.C. §120.
- Publication(s) _____ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to _____ application serial no. _____ and mailed on _____.
- Enclosed is a copy of a non-English publication(s) ___. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).

- Enclosed is a copy of a non-English publication(s) ___. English language publication __ (copy enclosed) claims priority from this non-English publication.
- Enclosed is an explanation of non-English publication(s) __ for which an English translation is not available.
- Enclosed is an English translation of non-English publication(s) __ cited in the attached Form PTO/SB/08A.
- Enclosed is a copy of pending patent Application Serial No. ____.

This Information Disclosure Statement is filed with the herein continuation application.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Please direct all further written communications in this application to:

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Dated: 10/28/03

Respectfully submitted,

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PTO/SB/08A (08-00)

<p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(use as many sheets as necessary)</i></p>				<i>Complete if Known</i>	
Sheet	1	of	3	Application Number	CON of 09/302,626
				Filing Date	On even date herewith
				First Named Inventor	SCARLATO
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
				Attorney Docket Number	2300-0363 (PP00363.115)

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)			
	B1	EP	0 467 714	A1	Merck & Co., Inc.	01-22-1992	
	B2	WO	95/03413	A1	The Rockefeller University et al.	02-02-1995	
	B3	WO	96/29412	A1	IAF Bio Vac Inc.	09-26-1996	
	B4	WO	95/33049	A2	Pasteur Merieux Serums et Vaccins Transgene S.A.	12-07-1995	
	B5	WO	96/30519	A1	Washington University	10-03-1996	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.

² See attached Kinds of U.S. Patent Documents.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

⁶ Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08A (08-00)

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	CON of 09/302,626
				Filing Date	On even date herewith
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				Group Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	2	of	3	Attorney Docket Number	2300-0363 (PP00363.115)

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	C1	ALDEEN et al., "The meningococcal transferring-binding proteins 1 and 2 are both surface exposed and generate bactericidal antibodies capable of killing homologous and heterologous strains," <i>Vaccine</i> 14(1):49-53, 1996
	C2	CONSTANTINO et al., "Development and phase 1 clinical testing of a conjugate vaccine against meningococcus A and C," <i>Vaccine</i> 10:691-698
	C3	JAFARI et al., "Control and prevention of meningococcal disease: recommendations of the advisory committee on immunization practices (ACIP)," <i>MMWR</i> 46(RR-5):1-10, 1997
	C4	LIEBERMAN et al., "Safety and immunogenicity of a serogroups A/C <i>Neisseria meningitidis</i> oligosaccharide-protein conjugate vaccine in young children," <i>JAMA</i> 275(19):1499-1503, 1996
	C5	PERKINS et al., "Control and prevention of serogroup C meningococcal disease: evaluation and management of suspected outbreaks: recommendations for the advisory committee on immunization practices (ACIP)," <i>MMWR</i> 46(RR-5):13-21, 1997
	C6	POOLMAN, "Development of a mengococcal vaccine," <i>Infections agents and Disease</i> 4:13-28, 1995
	C7	ROKBII et al., "Evaluation of recombinant transferring-binding protein B variants from <i>Neisseria meningitidis</i> for their ability to induce cross-reactive and bactericidal antibodies against a genetically diverse collection of serogroup B strains," <i>Infection and Immunity</i> 65(1):55-63, 1997
	C8	ROKBII et al., "Heterogeneity of <i>tbpB</i> , the transferring-binding protein B gene, among serogroup B <i>Neisseria meningitidis</i> strains of the ET-5 complex," <i>Clinical and Diagnostic Lab. Immun.</i> 4(5):522-529, 1997
	C9	ROMERO et al., "Current status of meningococcal group B vaccine candidates: capsular or noncapsular?" <i>Clinical Microbio. Reviews</i> 7(4):559-575, 1994
	C10	SCHUCHAT et al., "Bacterial meningitis in the United States in 1995," <i>New England J. of Medicine</i> 337(14):970-976, 1997
	C11	WEDEGE et al., "Human antibody response to a group B serotype 2a meningococcal vaccine determined by immunoblotting," <i>Infection and Immunity</i> 51(2):571-578, 1986

Examiner Signature		Date Considered
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² Applicant is to place a check mark here if English language Translation attached.

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